

**EXHIBIT C**

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

C.A. NO. 04 CV 10632 MEL

\* \* \* \* \*

MARY B. SMITH,

Plaintiff,

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vs.

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DAVID C. NICHOLSON, TRUSTEE OF THE D.J.J.

\*

REALTY TRUST, DOMINIC M. SAWICKI, TRUSTEE

\*

OF THE DOMINIC M. SAWICKI NOMINEE TRUST,

\*

and CAROL ANN WHITNEY and GLENN WHITNEY,

\*

Defendants.

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\* \* \* \* \*

DEPOSITION OF TERRANCE DINNAN, a witness  
called on behalf of the Defendants, pursuant to  
Massachusetts Rules of Civil Procedure, before Patricia  
A. Arria, a Notary Public in and for the Commonwealth of  
Massachusetts, at the Law Offices of Curley & Curley, 27  
School Street, Boston, Massachusetts, on Thursday,  
October 6, 2005 commencing at 6:17 p.m.

1 A. Yes.

12

2 Q. Where you saw Mrs. Smith, was she located at the  
3 top of the hill, on the hill, at the bottom of the hill?

4 A. I would have to say probably on the upper part of  
5 the hill.

6 Q. When you came upon her, did you see anybody else  
7 with her other than the two paramedics you referred to?

8 A. Yeah. There was, I think there was a guy and a  
9 woman with her.

10 Q. Do you know who those individuals are?

11 A. No.

12 Q. Did you stop to --

13 A. Yeah, I believe we stopped to see if they needed  
14 any help.

15 Q. Did you say anything to anybody?

16 A. I might have asked, I believe it was Leanne, if  
17 she needed any help.

18 Q. And Leanne is one of the paramedics?

19 A. Yes.

20 Q. And you know who she is?

21 A. Yes.

22 Q. What did Leanne say to you?

23 A. Something along the line of I'm all set. We kept  
24 going.